



PATENT
ATTORNEY DOCKET NO.: 056291-5057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
STOCKER et al.)
Appln. No.: 09/963,686) Group Art Unit: 1624
Filed: September 27, 2001) Examiner: Raymond, Richard L.
FOR: HETEROCYCLIC DERIVATIVES WHICH)
INHIBIT FACTOR Xa)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop** _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: November 12, 2003

Sir:

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

This is in response to the one month Action dated September 11, 2003, the time for responding to which has been extended to and including November 12, 2003 (November 11 being a Federal Holiday), by the petition and authorization for fee payment submitted herewith.

The Action notes that claim 1 is generic to a plurality of disclosed patentably distinct species comprising the compounds of the working examples, and requests that applicants elect a single species around which "related structures will be grouped together for examination purposes." In response to this request, applicants elect, with traverse, the compound of Example 9, that is the compound:

1-(6-bromonaphth-2-ylsulphonyl)-4-[4-(4-pyridazinyl)benzoyl]piperazine.

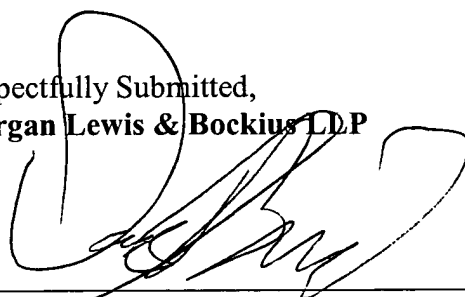
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Until applicants are apprised of the scope of the "related structures" that the Examiner groups around the elected species, applicants are only able to make a general traverse. It is hoped that after the "related structures" are defined by the Examiner, that the Examiner will consider arguments to modify the scope of such "related structures" in the event that applicants believe the group defined by the "related structures" is unnecessarily restrictive. Meanwhile, neither this general traverse, nor the absence of a specific traverse, should be construed as either an agreement or disagreement with the Examiner's stated position that "claim 1 is generic to a plurality of disclosed patentably distinct species comprising the compounds of the working examples."

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP



Date: November 12, 2003
Morgan Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Tel. No.: 202-739-3000
DJB:mk

By:

Donald J. Bird
Registration No. 25,323
Tel. No.: (202) 739-5320
Fax No.: (202) 739-3001